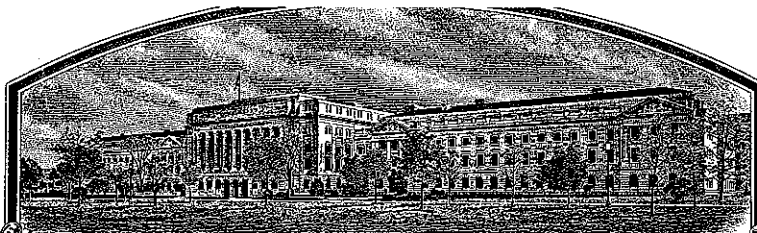


No.

200000219



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rijk Zwaan Zandteelt en Zandhandel B.V.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR PROPAGATING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED IN THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Cherokee'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of September, in the year two thousand and five.

Attest:

[Signature]
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a).

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421) Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) Rijk Zwaan Zaadteelt en Zaadhandel B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME CHEROKEE
4. ADDRESS (Street and No., or R.F.D. No., City, State and ZIP Code, and Country) Burgemeester Crezeelaan 40 2678 KX DE LIER, The Netherlands		5. TELEPHONE (include area code) + 31 174 532300	FOR OFFICIAL USE ONLY PVPO NUMBER 200000219 DATE May 1, 2000
		6. FAX (include area code) + 31 174 513730	
7. GENUS AND SPECIES NAME Lactuca sativa L.	8. FAMILY NAME (Botanical) Compositae		FILING AND EXAMINATION FEE \$ 2450.00
9. CROP KIND NAME (Common name) Lettuce			DATE May 1, 2000
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc. (Common name) Rijk Zwaan Zaadteelt en Zaadhandel B.V. Corporation			CERTIFICATION FEE: \$ 682.00
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Corporation		12. DATE OF INCORPORATION The Netherlands 08-18-1953	DATE August 15, 2005
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVES, IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS			14. TELEPHONE (include area code)
			15. FAX (include area code)

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of the Variety
d. ☒ Exhibit D. Additional Description of the Variety
e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership
f. ☒ Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository)
g. ☒ Filing and Examination Fee (\$2,450) made payable to the "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED (See Section 83(a) of the Plant Variety Protection Act)?

☐ YES (If "yes", answer items 18 and 19 below) ☒ NO (If "no", go to item 20)

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES ☐ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES?

☒ YES (If "yes", give names of countries and dates) ☐ NO

Cherokee has been sold for the first time in France in January 2000 and has not yet been sold in the U.S.A.

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

SIGNATURE OF APPLICANT (Owner(s))

NAME (Please print or type)

NAME (Please print or type)

M. Zwaan

CAPACITY OR TITLE

DATE

CAPACITY OR TITLE

DATE

Managing Director

18 April 2000

SD-470 (04-95) Previous editions are to be destroyed)

See reverse for instructions and information collection burden statement)



EXHIBIT A. ORIGIN AND BREEDING HISTORY OF THE VARIETY

VARIETY: CHEROKEE

Genealogy/Details of stages of selection and multiplication:

Cherokee was developed by making a cross between Sesam (Rijk Zwaan) and Carioca (S & G Seeds) in 1990. A selected F3-plant from this cross was crossed with the variety Camaro (Rijk Zwaan). A combined line and pedigree selection resulted in 1998 in a uniform F7-line based on one F6-plant. All crossing and breeding was performed in the Netherlands and France. The line obtained the introduction number 81-36 RZ, which was changed into Cherokee during the European registration procedure.

Selection was based on:

1. Field evaluation:
 - Homogeneity
 - Plant size
 - Head size
 - Colour
 - Head weight
 - Tipburn resistance
 - Bolting resistance
2. Laboratory tests on downy mildew and root aphid resistance, and LMV tolerance

Statement of uniformity and stability

Cherokee was stable and uniform in variety tests and in seed multiplications carried out since 1998. Official tests of NAKTuinbouw (EC Variety List) and Plant Research International (Community Plant Variety Right_ confirmed the uniformity and stability of Cherokee.

In seed multiplications we are finding practically no ~~off-types~~.

Variants

* See correspondence
of 5/18/05 JRM 7/12/05 *



EXHIBIT B. STATEMENT OF DISTINCTNESS

VARIETY: CHEROKEE

Identify the varieties and state all differences objectively:

Cherokee is a red-leaved lettuce in between batavia and cutting lettuce. It is characterised by very red, glossy leaves. Cherokee is resistant to the official Bremia races NL1, NL2, NL3, NL4, NL5, NL6, NL7, NL10, NL11, NL12, NL13, NL14, NL15, NL16, ~~BI-19~~ and BI-21.

JRM
5/26/05

Difference from other lettuce varieties from the database:

Denomination of standard variety	Characteristic in which the similar variety is different	State of expression of similar variety	State of expression of candidate variety
Salad Bowl	downy mildew resistance (<i>Bremia lactucae</i>)	susceptible	resistant to NL1, NL2, NL3, NL4, NL5, NL6, NL7, NL10, NL11, L12, NL13, NL14, NL15, NL16, BI-19 , BI-21
Mendoza	blistering	3 strong	2 moderate
Mendoza	bolting	quick	slow

JRM
5/26/05

Exhibit A

200000219

The number of generations over which uniformity and stability has been observed is: 2. Uniformity and stability have been shown since 1998.

Exhibit B

Cherokee is most similar to Mendoza.

Trial 1

location: Langeweg, the Netherlands
sowing: 09-03-1999
planting: 15-04-1999
harvest: 10-06-1999

variety: Cherokee(n=10) Mendoza(n=10)
days to bolting: 124.4(sd=1.1) 112.6(sd=1.1)

Trial 2

location: Roelofarendsveen, the Netherlands
sowing: 19-03-1999
planting: 20-04-1999
harvest: 16-06-1999

variety: Cherokee(n=10) Mendoza(n=10)

days to bolting: 123.3(sd=1.1) 110.3(sd=0.5)

F-tests based on analysis of variance across both locations show that Cherokee is significantly different from Mendoza for days to bolting ($F=1677$; $p<0.001$).

Exhibit C

First it should be mentioned that in the original exhibit C the mean data for trial 2 were given.

For light and heat dormancy the remark from my email of December 8, 2004 applies (mail on lettuce appl. 200000018 Fortunas; see below). In addition I would like to ask whether these traits are only relevant to know how to treat the seed samples, or that these dormancy traits are also used to compare PVP-applications.

Bl:19 was one of the new European Bremia-strains (Van Ettehoven & Van der Arend, 1999 in: A.Lebeda & E.Kristkova (Eds.) Eucarpia Leafy Vegetables '99. Palacky University, Olomouc, Czech Republic 1999: 171-175). However, it is not available anymore for further testing (Van der Arend et al., 2003 in: Van Hintum et al. (Eds.) Eucarpia Leafy Vegetables 2003. CGN, Wageningen, the Netherlands 2003: 151) and therefore we would like to ask you to disregard the claim for Bl:19-resistance.

remark on dormancy from e-mail December 8, 2004:

'according to our experience, it is very difficult to draw a line between non-dormant and dormant lettuce varieties. Both heat and light dormancy change over time when seed is ageing, and the genetic basis for these traits is polygenic. This means that dormancy is generally measured on a continuous scale.

So my question is where to draw the line: how are light dormancy and heat dormancy defined: which percentage of seeds of which age has to germinate under dark conditions, to state the variety is non-light-dormant? which percentage of seeds of which age has to germinate at which temperature to state that they are non-heat-dormant?

U.S. Department of Agriculture
Agricultural Marketing Service
Livestock and Seed Division
OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE *Lactuca sativa*

EXHIBIT C

NAME OF APPLICANT(S) Rijk Zwaan Zaadteelt en Zaadhandel B.V.		FOR OFFICIAL USE ONLY	
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP-Code) Burgemeester Crezeelaan 40 2678 KX DE LIER The Netherlands		PVPO NUMBER 200000219 VARIETY NAME CHEROKEE EXPERIMENTAL DESIGNATION	

Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is: The Netherlands

Color System Used: RHS

1. PLANT TYPE: (See list of suggested check varieties page 4.)

01 = Cutting/Leaf 02 = Butterhead 03 = Bibb 04 = Cos or Romaine	05 = Great Lakes Group 06 = Vanguard Group 07 = Imperial Group 08 = Eastern (Ithaca) Group	09 = Stem 10 = Latin 11 = OTHER: Batavia
--	---	--







2. SEED: COLOR

1 = White (Silver Gray) 2 = Black (Gray Brown) 3 = Brown (Amber)	LIGHT DORMANCY 1 = Light Required 2 = Light not required	HEAT DORMANCY 1 = Susceptible 2 = Not susceptible
--	--	---

3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions

SHAPE OF COTYLEDONS: 1 = Broad 2 = Intermediate 3 = Spatulate

SHAPE OF FOURTH LEAF:

LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

APICAL MARGIN: 1 = Entire 2 = Creanate/Gnawed 3 = Finely Dentate 4 = Moderately Dense 5 = Coarsely Dentate 6 = Incised 7 = Lobed 8 = OTHER (specify)

BASAL MARGIN: 1 = Entire 2 = Creanate/Gnawed 3 = Finely Dentate 4 = Moderately Dense 5 = Coarsely Dentate 6 = Incised 7 = Lobed 8 = OTHER (specify)

UNDULATION: 1 = Flat 2 = Slight 3 = Medium 4 = Marked

GREEN COLOR: 1 = Yellow Green 2 = Light Green 3 = Medium Green 4 = Dark Green 5 = Blue Green 6 = Silver Green 7 = Gray Green

ANTHOCYANIN: DISTRIBUTION: 1 = Absent 2 = Margin Only 3 = Spotted 4 = Throughout 5 = OTHER (specify)

CONCENTRATION: 1 = Light 2 = Moderate 3 = Intense

ROLLING: 1 = Absent 2 = Present

CUPPING: 1 = Uncupped 2 = Slight 3 = Markedly

REFLEXING: 1 = None 2 = Apical margin 3 = Lateral Margin

5

4. MATURE LEAVES (observe harvest-mature outer leaves):

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

200000219

1	MARGIN: INCISION DEPTH: (deepest penetration of the margin)	1 = Absent/Shallow (Dark Green Boston)	2 = Moderate (Vanguard)	3 = Deep (Great Lakes 659)
1	INDENTATION: (finest divisions of the margin)	1 = Entire (Dark Green Boston)	2 = Shallowly Dentate (Great Lakes 65)	3 = Deeply Dentate (Great Lakes 659) 4 = Crenate (Vanguard) 5 = OTHER (specify)
1	UNDULATION OF THE APICAL MARGIN:	1 = Absent/Slight (Dark Green Boston)	2 = Moderate (Vanguard)	3 = Strong (Great Lakes 659)
6	GREEN COLOR:	1 = Very Light Green (Bibb)	2 = Light Green (Minetto)	3 = Medium Green (Great Lakes) 4 = Dark Green (Vanguard) 5 = Very Dark Green 6 = OTHER
4	ANTHOCYANIN (grown at or below 10 °C): DISTRIBUTION:	1 = Absent	2 = Margin Only (Big Boston)	3 = Spotted (Calif. Cream Butter) 4 = Throughout (Prize Head) 5 = OTHER (specify)
3	CONCENTRATION:	1 = Light (Iceberg)	2 = Moderate (Prize Head)	3 = Intense (Ruby)
1	SIZE:	1 = Small	2 = Medium	3 = Large
3	GLOSSINESS:	1 = Dull (Vanguard)	2 = Moderate (Salinas)	3 = Glossy (Great Lakes)
2	BLISTERING:	1 = Absent/Slight (Salinas)	2 = Moderate (Vanguard)	3 = Strong (Prize Head)
2	LEAF THICKNESS:	1 = Thin	2 = Intermediate	3 = Thick
1	TRICHOMES:	1 = Absent (smooth)	2 = Present (spiny)	

5. PLANT (at market stage. Choose a comparison variety appropriate for this type):

3	4	SPREAD OF FRAME LEAVES: cm. This Variety	4	0	cm. Salad Bowl (specify comparison variety)		
1	5	HEAD DIAMETER (market trimmed with single cap leaf): cm. This variety	1	5	cm. Salinas (specify comparison variety)		
4	HEAD SHAPE:	1 = Flattened	2 = Slightly Flattened	3 = Spherical	4 = Elongate	5 = Non-heading	6 = OTHER
3	HEAD SIZE CLASS:	1 = Small	2 = Medium	3 = Large			
		HEAD COUNT PER CARTON					
4	6	3	HEAD WEIGHT: g This Variety	8	6	5	g. Salinas (specify comparison variety)
4	HEAD FIRMNESS	1 = Loose	2 = Moderate	3 = Firm	4 = Very Firm		

6. BUTT (bottom of market-trimmed head):

3	SHAPE:	1 = Slightly Concave	2 = Flat	3 = Rounded
3	MIDRIB:	1 = Flattened (Salinas)	2 = Moderately Raised	3 = Prominently Raised (Great Lakes 659)

7. CORE (stem of market-trimmed head):

3	1	mm Diameter at base of Head
4	8	Ratio of head diameter/core diameter
4	6	Core height from base of head to apex: mm. This Variety
3	9	mm. Salinas (specify comparison variety)

8. BOLTING (Give First Water Date) 03/19/1999 : Note: First Water Date is the date seed first receives adequate moisture to germinate. This can, and often does, equal the planting date.

1	2	3	Number of days from First Water Date to seed stalk emergence (summer conditions): This Variety	1	2	0	Salad Bowl (specify comparison variety)
2	BOLTING CLASS:	1 = Very Slow	2 = Slow	3 = Medium	4 = Rapid	5 = Very Rapid	
1	1	0	Height of mature seed stalk: cm. This Variety	1	2	0	Salad Bowl (specify comparison variety)

1 5

Spread of Bolter Plant (at widest point):
cm. This Variety

2 5

cm. Salad Bowl

200000219
RAO 4/2/2001

2

BOLTER LEAVES:

1 = Straight

2 = Curved

2

MARGIN:

1 = Entire

2 = Dentate

3

COLOR:

1 = Light Green

2 = Medium Green

3 = Dark RED

BOLTER HABIT:

1

TERMINAL
INFLORESCENCE:

1 = Absent

2 = Present

2

LATERAL SHOOTS
(above head)

1 = Absent

2 = Present

2

BASAL SIDE SHOOTS

1 = Absent

2 = Present

9. MATURITY (earliness of harvest-mature head formation)

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/# of days	Check 1/# of days	CHECK VARIETY 2/
Spring			
Summer	8 5	9 6	Salad Bowl
Fall			
Winter			

Give planting date(s), and location(s):

Spring

Summer 03/19/1999, Roelofarendsveen, the Netherlands

Fall

Winter

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTATION (tested and proven adapted):

(0 = Not tested

1 = Not Adapted

2 = Adapted)

0

Southwest (Calif., Ariz. desert)

0

West Coast

0

Northeast

0

Northcentral

0

Southeast

OTHER

SEASON:

2

Spring (area France)

2

Fall (area France)

2

Summer (area NW Europe)

1

Winter (area Spain)

1

GREENHOUSE:

0 = Not tested

1 = Not Adapted

2 = Adapted

3

SOIL TYPE:

1 = Mineral

2 = Organic

3 = Both

11. DISEASES AND STRESS REACTIONS (0 = Not tested; 1 = Susceptible; 2 = Intermediate; 3 = Resistant; 4 = Highly resistant; 5 = Tolerant):

VIRUS

0	Big Vein
1	Lettuce Mosaic
0	Cucumber Mosaic
0	Broad Bean Wilt
0	Turnip Mosaic
0	Beet Western Yellows
0	Lett. Infectious Yellows
	Other Virus _____

FUNGAL/BACTERIAL

1	Corky Root Rot (Pythium Root Rot)
4	Downy Mildew (Races see Exhibit B)
0	Powdery Mildew
0	Sclerotinia Rot
0	Bacterial Soft Rot (Pseudomonas spp. & others)
0	Botrytis (Gray Mold)
	OTHER _____

INSECTS

0	Cabbage Loopers
1	Root Aphids
0	Green Peach Aphid
	Other Insect _____

PHYSIOLOGICAL/STRESS

3	Tip Burn
0	Heat
0	Drought
0	Cold

0	Salt
0	Brown Rib (Rib Discoloration, Rib Blight)
	OTHER _____

POST HARVEST

0	Pink Rib
0	Russet Spotting
0	Rusty Brown Discoloration

0	Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)
0	Brown Stain

12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

13. COMMENTS:

SUGGESTED CHECK VARIETIES

- | | <u>TYPE</u> |
|-----|-------------------|
| 1) | CUTTING/LEAF |
| 2) | BUTTERHEAD |
| 3) | BIBB |
| 4) | COS, OR ROMAINE |
| 5) | GREAT LAKES GROUP |
| 6) | VANGUARD GROUP |
| 7) | IMPERIAL GROUP |
| 8) | EASTERN GROUP |
| 9) | STEM |
| 10) | LATIN |

<u>CHECK VARIETY</u>
SALAD BOWL
DARK GREEN BOSTON
BIBB
PARRIS ISLAND
GREAT LAKES 659-700
VANGUARD
VIVA
ITHACA
CELTUCE
MATCHLESS



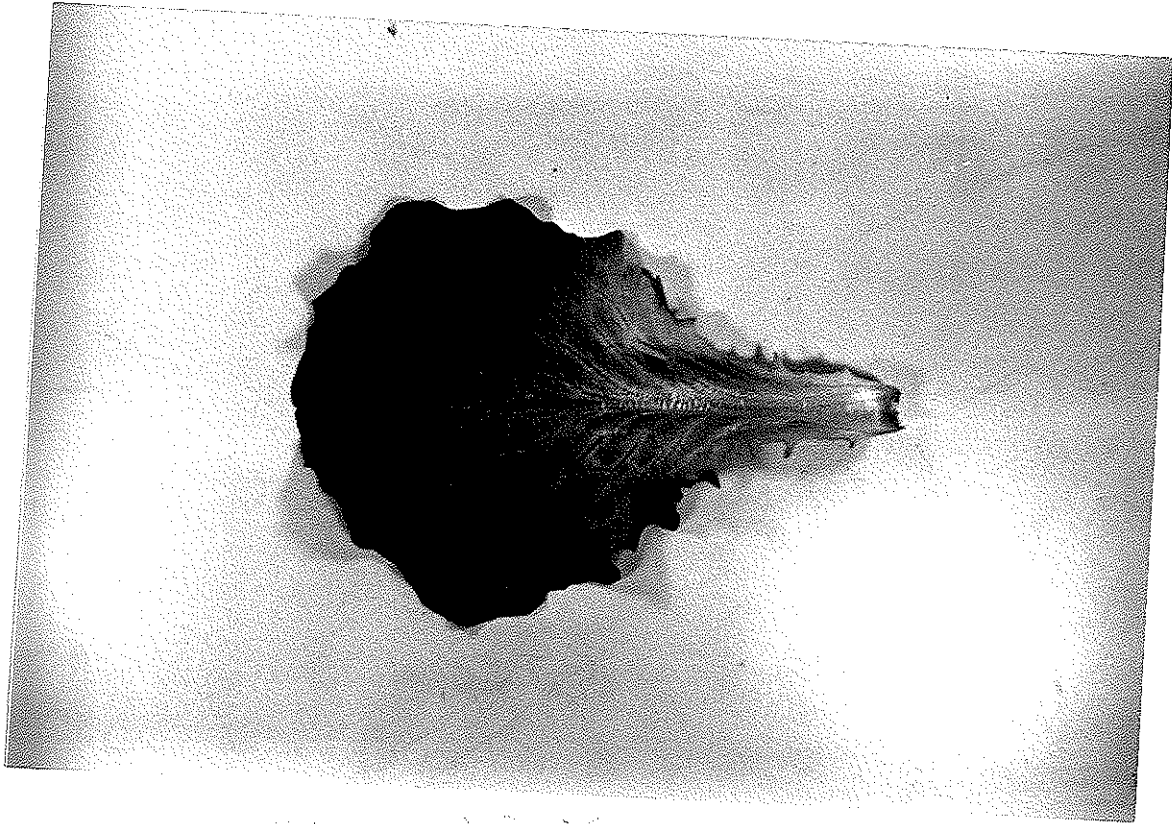
EXHIBIT D. ADDITIONAL DESCRIPTION OF THE VARIETY

VARIETY: CHEROKEE

Cherokee is a red-leaved lettuce in between batavia and cutting lettuce. It is characterised by very red, glossy leaves. Cherokee can be grown for whole head production and can be used for processing. Cherokee is resistant to the official Bremia races NL1, NL2, NL3, NL4, NL5, NL6, NL7, NL10, NL11, NL12, NL13, NL14, NL15, NL16, BI-19, BI-21 and the Californian pathotypes Ca I, Ca-IIA, Ca-IIB, Ca-IV, Ca V.

Cherokee can be grown in plantings from Spring until Fall. Cherokee is less suited for production under cold or extremely hot conditions.

200000217



SI-40 R2 "Chickadee"
A4 1000



SI-40 R2 "Chickadee"
A4 1000

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
 STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Rijk Zwaan Zaadteelt en Zaadhandel B.V.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME CHEROKEE
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) Burgemeester Crezeelaan 40 2678 KX DE LIER, The Netherlands	5. TELEPHONE (include area code) + 31 174 532300	6. FAX (include area code) + 31 174 513730
7. PVPO NUMBER 200000219		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES

☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?

If no, give name of country Netherlands

☐ YES

☒ NO

10. Is the applicant the original breeder? If no, please answer the following:

☒ YES

☐ NO

a. If original rights to variety were owned by individual(s):

Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____

☐ YES

☐ NO

b. If original rights to variety were owned by a company:

Is the original breeder(s) U.S. based company? If no, give name of country _____

11. Additional explanation on ownership (If needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (03-96)